

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)**

Applicant: BURBIDGE, Stephen Anthony et al  
Patent Application No.: 10/018,640 Filing Date: March 26, 2002  
For: NEW USES FOR POTASSIUM CHANNEL OPENERS  
SmithKline Beecham Corporation, a Corporation  
(Name of Assignee) (Type of Assignee, e.g. corporation, partnership, university, etc.)

certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_ Frame \_\_\_\_\_, or for which a copy thereof is attached.

B. ☐ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or which a copy thereof is attached.

☒ Additional documents in the chain of title are listed on a supplemental sheet.

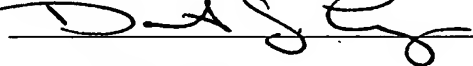
**Articles of Merger of SmithKline Beecham Corporation showing merged entity is Glaxo Wellcome Inc., effective March 31, 2001.**

☐ Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature:   
Name: David J. Levy

Date: MAY 13, 2002

Title: Patent Attorney (copy of resolution attached).  
SmithKline Beecham Corporation  
Address: GlaxoSmithKline  
Corporate Intellectual Property Department  
Five Moore Drive, PO Box 13398  
Research Triangle Park, NC 27709  
Telephone No.: (919) 483-2252  
Facsimile No: (919) 483-7988

## POWER OF ATTORNEY

BY THIS POWER OF ATTORNEY given this 16th day of May, Two Thousand and One, **SMITHKLINE BEECHAM CORPORATION**, a Company duly incorporated in Pennsylvania under registered no 23-1099050 and having its Registered Office at One Franklin Plaza, Philadelphia, Pennsylvania 19101, United States of America, (hereinafter called "the Company") appoints any one Director, the Secretary, or any Assistant Secretary from time to time, and **WILLIAM T KING** and **STEPHEN VENETIANER**, both of GlaxoSmithKline, and located at 709 Swedeland Road, King of Prussia, Pennsylvania 19406, United States of America, and, **CHARLES E DADSWELL**, **ROBERT H BRINK**, and **FRANK P GRASSLER**, all of GlaxoSmithKline, and located at Five Moore Drive, Research Triangle Park, North Carolina 27709, United States of America, and **DAVID ROBERTS**, **PETER JOHN GIDDINGS**, **ALAN SINCLAIR COX** and **JAMES ALAN THOMAS**, all of GlaxoSmithKline, and located at Two New Horizons Court, Brentford, Middlesex TW8 9EP, England, and **DAVID MARTIN WATERS** and **HUGH BAINFORDE DAWSON**, both of GlaxoSmithKline, and located at New Frontier's Science Park, Essex, England, and **WENDY ANNE FILLER**, and **MICHAEL JOHN STOTT**, both of GlaxoSmithKline, and located at Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex UB60NN, England jointly, and each of them severally (hereinafter called "the Attorney") to be the true and lawful Agent and Attorney of the Company on behalf of and in the name of the Company or otherwise to do, perform, exercise and execute or concur with any other person or persons in doing, performing, exercising and executing in any country or countries or jurisdiction in any part of the world all or any of the following powers, acts, deeds and things, that is to say:

1. To make application or cause application to be made for the grant to the Company and the proper registration in the name of the Company of any letters patent, trade mark, trade name, registered design or other intellectual property right whatever and to take all steps necessary for the same to be prosecuted and maintained.
2. As the act and deed of the Company to sign, seal and deliver and execute all or any assignments or assurances to the Company of any letters patent, registered trade mark, trade name, registered design or other intellectual property right or any application therefor for the purpose of fully and effectually vesting and transferring the same into the name of the Company insofar as such documents can be executed without the company's seal being affixed thereto.
3. As the act and deed for the Company to sign, seal, deliver and execute all or any assignments, assurances, licences or sub-licences from the Company of or under any letters patent, registered trade mark, trade name, registered design or other intellectual property right or any application therefor for the purpose of fully and effectually vesting, transferring or granting the same into the name of any person or company (whether in the United States of America or elsewhere) insofar as such documents can be executed without the Company's Seal being affixed thereto.
4. To sign and execute all documents relating to applications for letters patent, registered trade marks, trade names, registered designs or other intellectual property rights or the renewal thereof or to assignments or assurances of the same or applications therefor.

5. To act in regard to all official communications which may now or hereafter be addressed to the Company or to the Attorney relating to applications for letters patent, registered trade marks, trade names, registered designs or other intellectual property right or the renewal thereof in such manner that the Attorney may be recognised as the authorised Agent of the Company in all proceedings incidental thereto.
6. For, or in connection with any letters patent, registered trade mark, trade name, registered design or other intellectual property right or application therefor to sign, seal, deliver and execute any Power of Attorney or other deed or document:
  - a) authorising any firm or patent agents or trade mark agents in the United States of America to act on behalf of the Company;
  - b) authorising any person, persons, firm or company practising as patent agents or trade mark agents or otherwise entitled to act as agents for all matters relating to letters patent, trade marks, trade names, registered designs or other intellectual property rights outside the United States of America to act on behalf of the Company, with powers of substitution.
7. To initiate or cause to be initiated or to appear as defendant, complaine, interpleader or enjoined third party in any Patent Office or Registry or any Trade Mark Registry or Court or other agency or government department or otherwise responsible for the registration or protection of letters patent, trade marks, trade names, registered designs or other intellectual property rights in respect of any proceedings or application whatsoever relating to any proprietary rights whether in the name of the Company or not and to cause such proceedings or applications to be maintained or withdrawn.
8. This Power of Attorney shall expire on December 31, 2002, unless revoked prior to that date by the grantor.

AND THE COMPANY HEREBY RATIFIES AND CONFIRMS and agrees to ratify and confirm all and whatsoever the Attorney or any person, persons, firm or company appointed by him shall lawfully do or have done or cause to be done by virtue to the authority herein contained, including in such ratification and confirmation all and whatsoever the hereby appointed Attorney may already have done in purported exercise of the authorities presently vested in him.

AND THE COMPANY HEREBY DECLARES that this Power of Attorney is in substitution for and shall revoke all previous Powers of Attorney granted by the Company to the Attorney to do any of the acts and things hereby authorised to be done and remaining unrevoked PROVIDED that nothing herein contained shall affect the validity of any act or thing done by the Attorney by virtue thereof before the execution of this Power.

IN WITNESS WHEREOF the Company has caused its Common Seal to be hereunto affixed the day and year first before written.

THE COMMON SEAL OF  
SmithKline Beecham Corporation  
was hereunto affixed in the presence of:-

Donald F. Parman  
Donald F. Parman, Secretary

## ASSIGNMENT

WHEREAS I/WE Stephen Anthony BURBIDGE, Jeffrey John CLARE, Brian COX, <sup>Jonathan</sup> Joseph DUPERE, Russell Michael HAGAN, and Xinmin XIE, all citizens of the United Kingdom, each respectively residing in Stevenage, Hertfordshire, UK, Stevenage, Hertfordshire, UK, Stevenage, Hertfordshire, UK; Greenwich, United Kingdom, Durham, North Carolina, USA, and Burlingame, California, USA (hereinafter called "the inventor(s)") have invented or discovered **NEW USES FOR POTASSIUM CHANNEL OPENERS** (hereinafter called "the invention") for which a patent application No. GB9915414.8 was filed on 1 July 1999 in the United Kingdom; and for which international patent application PCT/GB00/02516 was filed on 30 June 2000 designating the United States of America; and for which a PCT National Phase application is now being filed in the United States Patent and Trademark Office. I/we hereby authorize and request that the filing date and US national application serial number, when known, be inserted here in parentheses;

(Serial Number 10/018,640 filed \_\_\_\_\_)

WHEREAS the invention, being made in the circumstances set out in Section 39(1)(a) of the United Kingdom Patents Act 1977, belongs to my/our employer, namely GLAXOSMITHKLINE SERVICES PLC (formerly GLAXO WELLCOME plc), a company incorporated in England whose registered address is Berkeley Avenue, Greenford, Middlesex, UB6 0NN, England and,

WHEREAS GLAXO RESEARCH AND DEVELOPMENT LIMITED, a company incorporated in England whose registered address is Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex UB6 0NN, England, is desirous of acquiring from GLAXOSMITHKLINE SERVICES PLC (formerly GLAXO WELLCOME plc) the whole right, title and interest in and to the invention and the application, and

WHEREAS GLAXOSMITHKLINE SERVICES PLC (formerly GLAXO WELLCOME plc) and GLAXO RESEARCH AND DEVELOPMENT LIMITED have authorised and requested my/our making the application, and

**WHEREAS SMITHKLINE BEECHAM CORPORATION** a corporation organised and existing under and by virtue of the laws of the State of Pennsylvania and having its principal place of business at One Franklin Plaza, Philadelphia, Pennsylvania 19102, USA is desirous of acquiring from **GLAXO RESEARCH AND DEVELOPMENT LIMITED** the whole right, title and interest in and to the invention and the application in respect of the United States of America;

**NOW, THEREFORE**, to all whom it may concern be it known that I/we, the inventor(s), hereby confirm the ownership by **GLAXOSMITHKLINE SERVICES PLC** (formerly **GLAXO WELLCOME plc**) of the invention and the application by operation of law under the United Kingdom Patents Act 1977 and, if under the law of the United States of America I/we the inventor(s) have any ownership right, title and interest in the invention and the application (which I/we do not believe to be the case and claim no ownership right, title or interest in the invention and the application based on the law of the United Kingdom), I/we the inventor(s) nevertheless hereby assign and transfer such ownership right, title and interest in and to the invention and the application to **GLAXOSMITHKLINE SERVICES PLC** (formerly **GLAXO WELLCOME plc**). **GLAXOSMITHKLINE SERVICES PLC** (formerly **GLAXO WELLCOME plc**) in turn hereby assigns and transfers to **GLAXO RESEARCH AND DEVELOPMENT LIMITED** its whole right, title and interest in and to the invention and the application. **GLAXO RESEARCH AND DEVELOPMENT LIMITED** in turn hereby assigns and transfers to **SMITHKLINE BEECHAM CORPORATION** its whole right, title and interest in and throughout the United States of America in and to the invention and the application and in and to any priority rights in respect of the invention and the application and in and to any divisional application, continuation or continuation in part application thereof, and in and to any extension or re-issue thereof, and I/we the inventor(s) and **GLAXOSMITHKLINE SERVICES PLC** (formerly **GLAXO WELLCOME plc**) and **GLAXO RESEARCH AND DEVELOPMENT LIMITED** hereby authorise and request any patent arising therefrom in the United States of America be issued to **SMITHKLINE BEECHAM CORPORATION**.

**AND GLAXOSMITHKLINE SERVICES PLC** (formerly **GLAXO WELLCOME plc**) and **GLAXO RESEARCH AND DEVELOPMENT LIMITED** hereby, and I/we the inventor(s) for myself/ourselves and my/our respective executors and legal representatives hereby, agree to provide information and make execute and deliver any and all other instruments in writing, and any and all further acts, applications, papers, affidavits, assignments and other

documents which may be possible and are necessary or desirable to more effectually secure to and vest in **SMITHKLINE BEECHAM CORPORATION**, its successors and assigns, the whole right, title and interest in and to the invention and the application hereby assigned and transferred in respect of the United States of America.

IT is hereby declared that each of the transactions hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value, or the aggregate amount or value, of the consideration exceeds £60,000.

**IN WITNESS** whereof and with effect from 1 July 1999 the inventor(s) and **DAVID J. LEVY** as Attorney of both **GLAXOSMITHKLINE SERVICES PLC** (formerly **GLAXO WELLCOME plc**) and **GLAXO RESEARCH AND DEVELOPMENT LIMITED** by virtue of Powers of Attorney granted by **GLAXOSMITHKLINE SERVICES PLC** (formerly **GLAXO WELLCOME plc**) and **GLAXO RESEARCH AND DEVELOPMENT LIMITED** respectively have hereunto set their respective hands.

**SIGNED by Stephen Anthony BURBIDGE**

**Date:** .....

  X  \_\_\_\_\_

in the presence of: (Witness to print and sign name below):

Witness print name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

**SIGNED by Jeffrey John CLARE**

**Date:** .....

  X  \_\_\_\_\_

in the presence of: (Witness to print and sign name below):

Witness print name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

SIGNED by Brian Cox      Date: .....

x \_\_\_\_\_

in the presence of: (Witness to print and sign name below):

Witness print name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

SIGNED by <sup>Jonathan JRBO</sup> Joseph DUPERE      Date: 12/3/02 ..... (12 March 2002)x J. D.

in the presence of: (Witness to print and sign name below):

Witness print name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

SIGNED by Russell Michael HAGAN      Date: .....

x \_\_\_\_\_

in the presence of: (Witness to print and sign name below):

Witness print name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_

SIGNED by Xinmin XIE

Date: .....

x \_\_\_\_\_

in the presence of: (Witness to print and sign name below):

Witness print name: \_\_\_\_\_

Witness Signature: \_\_\_\_\_



## ASSIGNMENT

WHEREAS I/WE, Stephen Anthony BURBIDGE, Jeffrey John CLARE and Brian COX all residing at Glaxo Wellcome plc, Gunnels Wood Road, Stevenage, Hertfordshire, SG1 2NY, GB and Joseph DUPERE residing at 3 East Road, Whorley End, Cranfield, Bedfordshire, MK43 0TD and Russell Michael HAGAN residing at Glaxo Wellcome Inc., Five Moore Drive, Research Triangle Park, NC 27709, US and Xinmin XIE residing at 2633 Martinez Drive, Burlingame, CA 94010, US (hereinafter called "the inventor(s)") have invented or discovered "Medical Use" (hereinafter called "the invention") for which a patent application No. 9915414.8 was filed on 01 July 1999 in the United Kingdom and for which an international patent application is being filed designating the United States of America. I/we hereby authorize and request that the filing date and PCT International application, when known, be inserted here in parentheses;

(PCT /GB00/02516 filed 30 June 2000)

WHEREAS the invention, being made in the circumstances set out in Section 39(1)(a) of the United Kingdom Patents Act 1977, belongs to my/our employer, namely GLAXO WELLCOME plc, a company incorporated in England whose registered address is Lansdowne House, Berkeley Square, London W1X 6BQ, England, and

WHEREAS GLAXO RESEARCH AND DEVELOPMENT LIMITED, a company incorporated in England whose registered address is Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex UB6 0NN, England, is desirous of acquiring from GLAXO WELLCOME plc the whole right, title and interest in and to the invention and the application, and

WHEREAS GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED have authorised and requested my/our making the application, and

WHEREAS GLAXO WELLCOME INC., a corporation organised and existing under and by virtue of the laws of the State of North Carolina and having its principal place of business at Five Moore Drive, Research Triangle Park, North Carolina 27709, USA is desirous of acquiring from GLAXO RESEARCH AND DEVELOPMENT LIMITED the whole right, title and interest in and to the invention and the application in respect of the United States of America;

NOW, THEREFORE, to all whom it may concern be it known that I/we, the inventor(s), hereby confirm the ownership by GLAXO WELLCOME plc of the invention and the application by operation of law under the United Kingdom Patents Act 1977 and, if under the law of the United States of America I/we the inventor(s) have any ownership right, title and interest in the invention and the application (which I/we do not believe to be the case and claim no ownership right, title or interest in the invention and the application based on the law of the United Kingdom), I/we the inventor(s) nevertheless hereby assign and transfer such ownership right, title and interest in and to the invention and the application to GLAXO WELLCOME plc. GLAXO WELLCOME plc in turn hereby assigns and transfers to GLAXO RESEARCH AND DEVELOPMENT LIMITED its whole right, title and interest in and to the invention and the application. GLAXO RESEARCH AND DEVELOPMENT LIMITED in turn hereby assigns and transfers to GLAXO WELLCOME INC. its whole right, title and interest in and throughout the United States of America in and to the invention and the application and in and to any priority rights in respect of the invention and the application and in and to any divisional application, continuation or continuation in part application thereof, and in and to any extension or re-issue thereof, and I/we the inventor(s) and GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED hereby authorise and request any patent arising therefrom in the United States of America be issued to GLAXO WELLCOME INC.

AND GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED hereby, and I/we the inventor(s) for myself/ourselves and my/our respective executors and legal representatives hereby, agree to provide information and make execute and deliver any and all other instruments in writing, and any and all further acts, applications, papers, affidavits, assignments and other documents which may be possible and are necessary or desirable to more effectually secure to and vest in GLAXO WELLCOME INC., its successors and assigns, the whole right, title and interest in and to the invention and the application hereby assigned and transferred in respect of the United States of America.

IT is hereby declared that each of the transactions hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value, or the aggregate amount or value, of the consideration exceeds £60,000.

IN WITNESS whereof and with effect from the 01 day of July 1999 the inventor(s) and Graham George Brereton as Attorney of both GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED by virtue of Powers of Attorney granted by GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED respectively have hereunto set their respective hands.

SIGNED by Stephen Anthony BURBIDGE:

in the presence of:

SIGNED by Jeffrey John CLARE:

In the presence of:

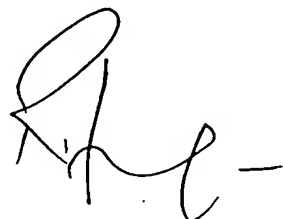
SIGNED by Brian COX:

In the presence of:

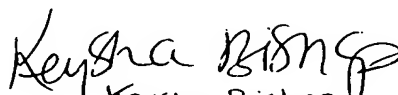
SIGNED by Joseph DUPERE:

In the presence of:

SIGNED by Russell Michael HAGAN:

 - 7/10/00

In the presence of:

  
Keysha Bishop

SIGNED by Xinmin XIE:

In the presence of:

SIGNED by Graham George Brereton as the Attorney of each of Glaxo Wellcome plc and  
Glaxo Research and Development Limited:

A handwritten signature in black ink, appearing to read 'Graham Brereton', written in a cursive style.

## ASSIGNMENT

WHEREAS I/WE, **Stephen Anthony BURBIDGE, Jeffrey John CLARE and Brian COX** all residing at Glaxo Wellcome plc, Gunnels Wood Road, Stevenage, Hertfordshire, SG1 2NY, GB and **Joseph DUPERE** residing at 3 East Road, Whorley End, Cranfield, Bedfordshire, MK43 0TD and **Russell Michael HAGAN** residing at Glaxo Wellcome Inc., Five Moore Drive, Research Triangle Park, NC 27709, US and **Xinmin XIE** residing at 2633 Martinez Drive, Burlingame, CA 94010, US (hereinafter called "the inventor(s)") have invented or discovered "**Medical Use**" (hereinafter called "the invention") for which a patent application No. 9915414.8 was filed on 01 July 1999 in the United Kingdom and for which an international patent application is being filed designating the United States of America. I/we hereby authorize and request that the filing date and PCT International application, when known, be inserted here in parentheses;

(PCT / GB00/02516 filed 30 June 2000 )

**WHEREAS** the invention, being made in the circumstances set out in Section 39(1)(a) of the United Kingdom Patents Act 1977, belongs to my/our employer, namely **GLAXO WELLCOME plc**, a company incorporated in England whose registered address is Lansdowne House, Berkeley Square, London W1X 6BQ, England, and

**WHEREAS GLAXO RESEARCH AND DEVELOPMENT LIMITED**, a company incorporated in England whose registered address is Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex UB6 0NN, England, is desirous of acquiring from **GLAXO WELLCOME plc** the whole right, title and interest in and to the invention and the application, and

**WHEREAS GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED** have authorised and requested my/our making the application, and

**WHEREAS GLAXO WELLCOME INC.**, a corporation organised and existing under and by virtue of the laws of the State of North Carolina and having its principal place of business at Five Moore Drive, Research Triangle Park, North Carolina 27709, USA is desirous of acquiring from **GLAXO RESEARCH AND DEVELOPMENT LIMITED** the whole right, title and interest in and to the invention and the application in respect of the United States of America;

**NOW, THEREFORE**, to all whom it may concern be it known that I/we, the inventor(s), hereby confirm the ownership by **GLAXO WELLCOME plc** of the invention and the application by operation of law under the United Kingdom Patents Act 1977 and, if under the law of the United States of America I/we the inventor(s) have any ownership right, title and interest in the invention and the application (which I/we do not believe to be the case and claim no ownership right, title or interest in the invention and the application based on the law of the United Kingdom), I/we the inventor(s) nevertheless hereby assign and transfer such ownership right, title and interest in and to the invention and the application to **GLAXO WELLCOME plc**. **GLAXO WELLCOME plc** in turn hereby assigns and transfers to **GLAXO RESEARCH AND DEVELOPMENT LIMITED** its whole right, title and interest in and to the invention and the application. **GLAXO RESEARCH AND DEVELOPMENT LIMITED** in turn hereby assigns and transfers to **GLAXO WELLCOME INC.** its whole right, title and interest in and throughout the United States of America in and to the invention and the application and in and to any priority rights in respect of the invention and the application and in and to any divisional application, continuation or continuation in part application thereof, and in and to any extension or re-issue thereof, and I/we the inventor(s) and **GLAXO WELLCOME plc** and **GLAXO RESEARCH AND DEVELOPMENT LIMITED** hereby authorise and request any patent arising therefrom in the United States of America be issued to **GLAXO WELLCOME INC.**

**AND GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED** hereby, and I/we the inventor(s) for myself/ourselves and my/our respective executors and legal representatives hereby, agree to provide information and make execute and deliver any and all other instruments in writing, and any and all further acts, applications, papers, affidavits, assignments and other documents which may be possible and are necessary or desirable to more effectually secure to and vest in **GLAXO WELLCOME INC.**, its successors and assigns, the whole right, title and interest in and to the invention and the application hereby assigned and transferred in respect of the United States of America.

IT is hereby declared that each of the transactions hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value, or the aggregate amount or value, of the consideration exceeds £60,000.

**IN WITNESS** whereof and with effect from the 01 day of July 1999 the inventor(s) and Graham George Brereton as Attorney of both **GLAXO WELLCOME plc** and **GLAXO RESEARCH AND DEVELOPMENT LIMITED** by virtue of Powers of Attorney granted by **GLAXO WELLCOME plc** and **GLAXO RESEARCH AND DEVELOPMENT LIMITED** respectively have hereunto set their respective hands.

**SIGNED by Stephen Anthony BURBIDGE:**

in the presence of:

**SIGNED by Jeffrey John CLARE:**

In the presence of:

**SIGNED by Brian COX:**

In the presence of:

**SIGNED by Joseph DUPERE:**

In the presence of:

**SIGNED by Russell Michael HAGAN:**

In the presence of:

**SIGNED by Xinmin XIE:**



In the presence of:

*Alma de Leon*

**SIGNED** by Graham George Brereton as the Attorney of each of Glaxo Wellcome plc and Glaxo Research and Development Limited:





## ASSIGNMENT

WHEREAS I/WE, Stephen Anthony BURBIDGE, Jeffrey John CLARE and Brian COX all residing at Glaxo Wellcome plc, Gunnels Wood Road, Stevenage, Hertfordshire, SG1 2NY, GB and Joseph DUPERE residing at 3 East Road, Whorley End, Cranfield, Bedfordshire, MK43 0TD and Russell Michael HAGAN residing at Glaxo Wellcome Inc., Five Moore Drive, Research Triangle Park, NC 27709, US and Xinmin XIE residing at 2633 Martinez Drive, Burlingame, CA 94010, US (hereinafter called "the inventor(s)") have invented or discovered "Medical Use" (hereinafter called "the invention") for which a patent application No. 9915414.8 was filed on 01 July 1999 in the United Kingdom and for which an international patent application is being filed designating the United States of America. I/we hereby authorize and request that the filing date and PCT International application, when known, be inserted here in parentheses;

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WHEREAS GLAXO RESEARCH AND DEVELOPMENT LIMITED, a company incorporated in England whose registered address is Glaxo Wellcome House, Berkeley Avenue, Greenford, Middlesex UB6 0NN, England, is desirous of acquiring from GLAXO WELLCOME plc the whole right, title and interest in and to the invention and the application, and

WHEREAS GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED have authorised and requested my/our making the application, and

WHEREAS GLAXO WELLCOME INC., a corporation organised and existing under and by virtue of the laws of the State of North Carolina and having its principal place of business at Five Moore Drive, Research Triangle Park, North Carolina 27709, USA is desirous of acquiring from GLAXO RESEARCH AND DEVELOPMENT LIMITED the whole right, title and interest in and to the invention and the application in respect of the United States of America;

NOW, THEREFORE, to all whom it may concern be it known that I/we, the inventor(s), hereby confirm the ownership by GLAXO WELLCOME plc of the invention and the application by operation of law under the United Kingdom Patents Act 1977 and, if under the law of the United States of America I/we the inventor(s) have any ownership right, title and interest in the invention and the application (which I/we do not believe to be the case and claim no ownership right, title or interest in the invention and the application based on the law of the United Kingdom), I/we the inventor(s) nevertheless hereby assign and transfer such ownership right, title and interest in and to the invention and the application to GLAXO WELLCOME plc. GLAXO WELLCOME plc in turn hereby assigns and transfers to GLAXO RESEARCH AND DEVELOPMENT LIMITED its whole right, title and interest in and to the invention and the application. GLAXO RESEARCH AND DEVELOPMENT LIMITED in turn hereby assigns and transfers to GLAXO WELLCOME INC. its whole right, title and interest in and throughout the United States of America in and to the invention and the application and in and to any priority rights in respect of the invention and the application and in and to any divisional application, continuation or continuation in part application thereof, and in and to any extension or re-issue thereof, and I/we the inventor(s) and GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED hereby authorise and request any patent arising therefrom in the United States of America be issued to GLAXO WELLCOME INC.

AND GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED hereby, and I/we the inventor(s) for myself/ourselves and my/our respective executors and legal representatives hereby, agree to provide information and make execute and deliver any and all other instruments in writing, and any and all further acts, applications, papers, affidavits, assignments and other documents which may be possible and are necessary or desirable to more effectually secure to and vest in GLAXO WELLCOME INC., its successors and assigns, the whole right, title and interest in and to the invention and the application hereby assigned and transferred in respect of the United States of America.


IT is hereby declared that each of the transactions hereby effected does not form part of a larger transaction or of a series of transactions in respect of which the amount or value, or the aggregate amount or value, of the consideration exceeds £60,000.

IN WITNESS whereof and with effect from the 01 day of July 1999 the inventor(s) and Graham George Brereton as Attorney of both GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED by virtue of Powers of Attorney granted by GLAXO WELLCOME plc and GLAXO RESEARCH AND DEVELOPMENT LIMITED respectively have hereunto set their respective hands.

SIGNED by Stephen Anthony BURBIDGE:



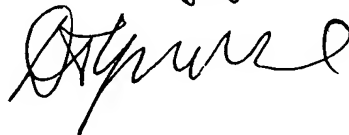
in the presence of:



SIGNED by Jeffrey John CLARE:



In the presence of:



SIGNED by Brian COX:



In the presence of:



SIGNED by Joseph DUPERE:

In the presence of:

SIGNED by Russell Michael HAGAN:

In the presence of:

SIGNED by Xinmin XIE:

In the presence of:

SIGNED by Graham George Brereton as the Attorney of each of Glaxo Wellcome plc and  
Glaxo Research and Development Limited:

A handwritten signature in black ink, appearing to read 'Graham Brereton', written in a cursive style.